IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 2412 of 2005

Between:

Matangi Mahender, S/o. M. Kishan,
R/o. 1-9-508, Julywada, Subedari, Warangal, Warangal District.

..... PETITIONER

AND

1 The Revenue Divisional Officer, Warangal, Warangal District.
2 Smt. Gandepally Padma, W/o. Ramesh,
R/o. Julywada, Hanamkonda Mandal, Warangal District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus or any other appropriate Writ, Order or direction to declare the proceedings of the 1st respondent issued in Rc.No.E/23/2005 dated 15-1-2005 as illegal, arbitrary and violative of Article 14 of the Constitution of India and set aside the same and pass such other or further orders as deemed fit and proper in the facts and circumstances of the case.

Counsel for the Petitioner:MR.P.PANKAJ REDDY

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court, at the stage of admission, made the following :

ORDER:

Petitioner feels aggrieved by the order, dated 15.01.2005, passed by the 1st respondent appointing the 2nd respondent as a temporary dealer for shop 3/B, which is brought about through the process of bifurcation of the existing shop. Petitioner states that he is the cardholder of the concerned fair price shop, and the 1st respondent did not take any steps to invite applications from the eligible persons and that no period is indicated, for which the 2nd respondent is appointed as a temporary dealer.

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies.

The appointment of the 2nd respondent is purely temporary in nature. The appointment came to be made in the wake of bifurcation of existing shop and creation of a new one. The process of appointment of a regular dealer would take its own time. The arrangement made by the 1st respondent is purely temporary and adhoc in nature. Therefore, no illegality can be said to have been committed by the 1st respondent in appointing the 2nd respondent. However, it has to be ensured that the temporary appointment is for a limited period and that the selection and appointment of a regular dealer takes place at the earliest.

The writ petition is accordingly disposed of directing the 1st respondent to take steps

to appoint a dealer for the shop, referred to above, on regular basis and conclude the same, within a period of three months from the date of receipt of a copy of this order. There shall be no order as to costs.

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L.NARASIMHA REDDY, J

Dated : 14.02.2005

Note: Furnish copy

In two days

(B/o)

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To

1 The Revenue Divisional Officer, Warangal, Warangal District.
2 2 CCs to the Government Pleader for Civil Supplies, High Court Buildings, Hyderabad. (OUT)

3 2CD copies.